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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,619	11/05/2003	Hisaki Kurashina	117469	4867
25944	7590	05/16/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER WEISS, HOWARD	
			ART UNIT 2814	PAPER NUMBER

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/700,619	KURASHINA ET AL.	
	Examiner	Art Unit	
	Howard Weiss	2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 ~~is/are~~ pending in the application.
- 4a) Of the above claim(s) 15-17 ~~is/are~~ withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 ~~is/are~~ rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-17 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0804</u> . | 6) <input type="checkbox"/> Other: _____ |

Attorney's Docket Number: 117469

Filing Date: 11/5/03

Continuing Data: none

Claimed Foreign Priority Date: 11/26/02, 9/12/03 (JPX)

Applicant(s): Kurashina et al. (Takahara, Kawata)

Examiner: Howard Weiss

Election/Restrictions

1. Applicant's election of Group I (Claims 1 to 14) in the response filed 3/8/05, is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Merely stating the claims are "sufficiently related" without specifically and distinctly addressing all points of the restriction does not constitute a valid reply.
2. Claims 15 to 17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant is requested to cancel the non-elected claims as part of a complete response to this office action. Cancellation of the non-elected claims would not preclude the later filing of a divisional application on the non-elected invention (please see 35 USC 120 and 121).

Claim Objections

3. Claim 1 recites the limitation "pixel potential capacitor electrodes" in Line 11. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 1 recites the limitation "constant potential capacitor electrodes" in Line 14. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 7 describes "fourth junction electrodes" without establishing third junction electrodes on an antecedent basis.

Specification

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1 to 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murade (PCT/JP99/06642), Ohtani et al. (U.S. Patent No. 6,490,014) and Shimizu et al. (U.S. Patent No. 6,160,297).

Murade shows most aspects of the instant invention (e.g. Figures 9 to 12) including:

- data lines **6a** extending in a first direction and scan lines **3a** extending in a second direction perpendicular to said first direction
- pixel electrodes **9a** and TFTs **30**
- storage capacitors **70** with first junction electrodes **8b** connected to said pixel and second junction electrodes **15** connected to a constant potential **11b**

- capacitor line **3b**
- said lines include a nitride film **81** and Al/TiN structure

Murade dies not show the capacitor disposed above the data line and third and fourth junction electrodes. Ohtani et al. teach (e.g. Figures 3) to disposed a capacitor line **23** above a data line **18** to increase the aperture ratio of the pixel (Column 2 Lines 40 to 42). It would have been obvious to a person of ordinary skill in the art at the time of invention to disposed a capacitor line above a data line as taught by Ohtani et al. in the device of Murade to increase the aperture ratio of the pixel.

Shimizu et al. teach (e.g. Figure 10 to form third and fourth junction electrode **6** in order to make interconnections at low resistance (Column 12 Lines 28 to 30). It would have been obvious to a person of ordinary skill in the art at the time of invention to form third and fourth junction electrode as taught by Shimizu et al. in the device of Murade in order to make interconnections at low resistance.

Conclusion

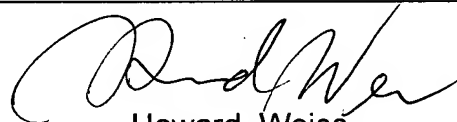
9. Papers related to this application may be submitted directly to Art Unit 2814 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (15 November 1989). The Art Unit 2814 Fax Center number is **(703) 872-9306**. The Art Unit 2814 Fax Center is to be used only for papers related to Art Unit 2814 applications.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Howard Weiss at **(571) 272-1720** and between the hours of 7:00 AM to 3:00 PM (Eastern Standard Time) Monday through Friday or by e-mail via **Howard.Weiss@uspto.gov**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy, can be reached on **(571) 272-1705**.

Art Unit: 2814

11. The following list is the Examiner's field of search for the present Office Action:

Field of Search	Date
U.S. Class / Subclass(es): 257/59, 72; 349/39	5/9/05
Other Documentation: PLUS Analysis Report	5/4/05
Electronic Database(s): EAST, IEL, STNEasy	5/6/05

HW/hw
9 May 2005



Howard Weiss
Primary Examiner
Art Unit 2814



FIG. 1

